

Calendar No. 196

109TH CONGRESS }
1st Session }

SENATE

{ REPORT
109-125

AMEND THE PITTMAN-ROBERTSON WILDLIFE RESTORATION ACT TO EXTEND THE DATE AFTER WHICH SURPLUS FUNDS IN THE WILDLIFE RESTORATION FUND BECOME AVAILABLE FOR APPORTIONMENT.

AUGUST 31, 2005.—Ordered to be printed

Filed, under authority of the order of the Senate of July 29, 2005

Mr. INHOFE, from the Committee on Environment and Public Works, submitted the following

R E P O R T

[To accompany S. 1340]

[Including cost estimate of the Congressional Budget Office]

The Committee on Environment and Public Works, to which was referred a bill (S. 1340) to amend the Pittman-Robertson Wildlife Restoration Act to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

GENERAL STATEMENT AND BACKGROUND

Section 7 of the North American Wetlands Conservation Act of 1989 (NAWCA) amended the Pittman-Robertson Act to provide the authority to invest in interest-bearing obligations of the United States, and to use the realized interest to fund projects carried out under NAWCA. The authority to use these funds to support NAWCA is set to expire on September 30, 2005, unless extended.

Although NAWCA itself was most recently reauthorized in 2002, this funding provision was not addressed at that time, or during any other NAWCA reauthorization since 1989, because it did not affect whether the NAWCA program itself could be reauthorized, but rather specifies a particular source of funding to support the program and had not yet reached its expiration date. Since the original 1989 Act specified that the use of interest provision continued through the end of fiscal year 2005, Congress has needed to address an extension of this specific provision before this time. Through 2005, this funding source has provided \$235 million, or

approximately one-third of the Federal funds that have been devoted to NAWCA. This \$235 million has attracted another \$634 million in matching funds from other sources.

OBJECTIVES OF THE LEGISLATION

S. 1340 will extend the existing authority to spend interest from the Pittman-Robertson fund to support NAWCA projects through fiscal year 2016.

SECTION-BY-SECTION ANALYSIS

Section 1. Availability of Surplus Funds in Wildlife Restoration Fund.

This section changes the date in the Pittman-Robertson Wildlife Restoration Act (16 U.S.C. 669b(b)(2)(C)) from “2006” to “2016”.

LEGISLATIVE HISTORY

On June 30, 2005, Senator James M. Inhofe introduced S. 1340, which was cosponsored by Senator James Jeffords and Senator Mike Crapo. The bill was referred to the Senate Committee on Environment and Public Works. On July 20, 2005, the full committee held a business meeting and unanimously ordered S. 1340 to be favorably reported without amendment to the full Senate.

HEARINGS

No committee hearings were held on S. 1340.

ROLLCALL VOTES

The Committee on Environment and Public Works met to consider S. 1340 on July 20, 2005. The committee approved S. 1340 by unanimous consent.

REGULATORY IMPACT STATEMENT

In compliance with section 11(b) of rule XXVI of the Standing Rules of the Senate, the committee finds that S. 1340 does not create any additional regulatory burdens, nor will it cause any adverse impact on the personal privacy of individuals.

MANDATES ASSESSMENT

In compliance with the Unfunded Mandates Reform Act of 1995 (Public Law 104–4), the committee finds that S. 1340 would not impose Federal intergovernmental unfunded mandates on State, local, or tribal governments.

COST OF LEGISLATION

Section 403 of the Congressional Budget and Impoundment Control Act requires that a statement of the cost of the reported bill, prepared by the Congressional Budget Office, be included in the report. That statement follows:

S. 1340, A bill to amend the Pittman-Robertson Wildlife Restoration Act, to extend the date after which surplus funds in the wildlife restoration fund become available for apportionment, As ordered reported by the Senate Committee on Environment and Public Works on July 20, 2005

S. 1340 would extend through fiscal year 2016 the authority to use certain amounts in the Federal aid to wildlife restoration fund (known as the P-R fund) for waterfowl conservation grants carried out under the North American Wetlands Conservation Act (NAWCA). Enacting S. 1340 would have no effect on the Federal budget because the amounts that the bill would make available for NAWCA grants (estimated to be between \$10 million and \$30 million annually over the next 10 years) will be spent for other grant programs in the absence of this legislation.

Under the Pittman-Robertson Wildlife Restoration Act (Pittman-Robertson Act), excise taxes collected on certain hunting equipment are deposited into the P-R fund and are available without further appropriation for grants to States. The Pittman-Robertson Act requires that interest earned through fiscal year 2005 on balances in that fund be used to finance waterfowl conservation projects authorized under NAWCA. After 2005, such earnings will become available for wildlife conservation grants under the Pittman-Robertson Act; S. 1340 would make them available, instead, for waterfowl conservation grants. Because the interest earnings will be spent without further appropriation action for one grant program or the other, CBO estimates that enacting this legislation would have no net effect on Federal spending. Enacting S. 1340 would not affect other direct spending programs or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Robert A. Sunshine, Assistant Director for Budget Analysis.

CHANGES IN EXISTING LAW

In compliance with section 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill as reported are shown as follows: Existing law proposed to be omitted is enclosed in [black brackets], new matter is printed in italic, existing law in which no change is proposed is shown in roman:

[16 U.S.C. 669B(B)(2)(C)]

TITLE 16—CONSERVATION

CHAPTER 5B—WILDLIFE RESTORATION

SEC. 669b. AUTHORIZATION OF APPROPRIATIONS

(a) IN GENERAL.— * * *

* * * * *

(b) INVESTMENT OF UNEXPENDED AMOUNTS.—

(1) The Secretary of the Treasury shall invest in interest-bearing obligations of the United States such portion of the

fund as is not, in his judgment, required for meeting a current year's withdrawals. For purposes of such investment, the Secretary of the Treasury may—

(A) acquire obligations at the issue price and purchase outstanding obligations at the market price; and

(B) sell obligations held in the fund at the market price.

(2) The interest on obligations held in the fund—

(A) shall be credited to the fund;

(B) constitute the sums available for allocation by the Secretary under section 4407 of this title;

(C) shall become available for apportionment under this chapter at the beginning of fiscal year **2006** *2016*.

* * * * *

